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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,812	01/07/2005	Takahisa Jitsuno	12480-000085/US	7040
30593	7590	02/07/2006	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			ULLAH, AKM E	
P.O. BOX 8910			ART UNIT	
RESTON, VA 20195			PAPER NUMBER	
			2874	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/520,812

Applicant(s)

JITSUNO ET AL.

Examiner

Akm Enayet Ullah

Art Unit

2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/7/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Applicant cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Status of the Application

Claims 1- 18are pending in this application.

Claims 1-18 are rejected less than 35 USC § 112, 102 and 103.

If applicant is aware of any prior art or any other co- pending application not already of record, he/she is reminded of his/her duty under 37 CFR 1.56 to disclose the same.

Rejected under 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims language throughout the claims 1-18 is considered to be vague and indefinite because it fails to give understanding to the claims what exactly applicant is referring to.

For an example, line 7 of claim 1, applicant recites, "lens surface is formed by a dead weight ". What exactly dead weight term means in this particular application.?

What constitutes "dead weight"?

Line 3 of claim 9, the recitation " in said second resin" is not clear? Correction is required.

Similar comments apply to other claims.

Lines 5- 6, claim 9, the recitation "the lens is so shaped as to have a wave front aberration close to 0" what "mechanical stiffness"?

The above mentioned recitation of claims are vague and indefinite because it fails to give understanding to the claim how other lens surface is formed dead weight.

Similar comments apply to throughout the claims (1- 18).

Rejected under 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 5 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Japanese Patent Abstract of Japan 2002/040271 or Ito (USP NO. 4,779,947).

Both reference disclose an optical fiber connector in which lens is formed at a resin injection located at a front end of an optical fiber inserted in a connector main body

---- the main body includes a first and second pipe and the second pipe receive the first pipe

---- the lens is shaped taking into a positioning error of the optical fiber with respect to an outer diameter of the connector.

Rejected under 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 5-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Abstract of Japan 2002/040271 or Ito (USP NO. 4,779,947) in view of Uno et al (USP No. 6,406,196).

The above mention references fails to disclose setting means having a groove for setting the optical fiber connector.

Uno et a; is the evidence that an ordinary skill in the art would find a reason, suggestion or motivation to have setting means having a groove for setting the optical fiber connector in an optical fiber connector, as claimed.

One of ordinary skill in the art would have found it obvious to use the optical fiber connector having setting means having a groove for setting the optical fiber of Uno et al in any one of the above mentioned reference (Japanese Patent Abstract of Japan 2002/040271 or Ito (USP NO. 4,779,947), since column 4, third paragraph of Uno et al mentioned that " the end portion of the optical fiber is formed in a lens shape, and light emitted by the semiconductor laser is optically coupled to the optical fiber. It is noted that applicant has not described such (setting means having for setting the optical fiber) as being critical or yielding unexpected benefits. Certainly a person of ordinary skill in the art would find it beneficial to achieve a fiber optic connector, if desired.

Cited Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Uchida et al (USP NO. 5,699,466) and Cannon, Jr. et al (USP NO. 4,634,214) are also cited to show a typical fiber optic connector respectively.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akm Enayet Ullah whose telephone number is 571-272-2361. The examiners can normally be reached on Monday through Wednesday from 5:30 am to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick, can be reached on Monday through Friday whose telephone number is 571-272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Aullah', followed by a long horizontal line extending to the right.

Akm Enayet Ullah
Primary Examiner
Art Unit 2874

Aullah

January 30, 2006